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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Howard R. Lloyd, Magistrate Judge

United States of America,

Plaintiff,

VS.

Christopher Doyon, et al.

Defendant.

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No. CR11-00683 DLJ

San Jose, California

Thursday, September 22, 2011

TRANSCRIPT OF PROCEEDINGS OF THE OFFICIAL ELECTRONIC SOUND
RECORDING

APPEARANCES:

For Plaintiff:

MELINDA HAAG

United States Attorney

450 Golden Gate Avenue, 11th Floor

San Francisco, California 94102

BY: MATTHEW A. PARRELLA

HANLEY CHEW

ASSISTANT UNITED STATES ATTORNEYS

For Defendant:

Leiderman Devine, LLP

5740 Ralston St Ste 300

Ventura, CA 93003

BY: JASON SCOTT LEIDERMAN

ATTORNEY AT LAW

Transcribed By:

Stacy Wegner

Transcriber

smwtyping@gmail.com

(859) 539-2802

1 Thursday, September 22, 2011

1:58 p.m.

2
3 **THE COURT:** The United States versus Christopher
4 Doyon.

5 **MR. PARRELLA:** Good afternoon. Matt Parrella and
6 Hanley Chew for the Government.

7 **MR. LEIDERMAN:** Good afternoon, Your Honor. Jay
8 Leiderman L-E-I-D-E-R-M-A-N, for Mr. Doyon who's not yet
9 present.

10 **THE COURT:** Okay. You said that awfully fast. L-E-
11 I-D-E-R-M-A-N?

12 **MR. LEIDERMAN:** Yes, sir.

13 **THE COURT:** First name was Jay?

14 **MR. LEIDERMAN:** Jay, J-A-Y.

15 **THE COURT:** Thank you.

16 **MR. LEIDERMAN:** Is this one also for me?

17 **THE COURT:** One for you and one for your client.
18 Good afternoon, Mr. Parrella, Mr. Chew, Mr.
19 Leiderman and Mr. Doyon.

20 Sir, you're here because the grand jury has returned
21 an indictment against you and another individual. Although,
22 the indictment is in three counts, you are named only in count
23 one and two.

24 Count one alleges a violation of 18 U.S. Code
25 Section 1030(b), as well as 1030(c)(4)(a)(1)(1), conspiracy to

1 commit intentional damage to a protected computer.

2 And count two alleges a violation of 18 U.S. Code
3 Section 1030(a)(5)(a), as well as (c)(4)(a)(1)(1) and
4 (c)(4)(b)(1), as well as 18 U.S. Code Section 2, intentional
5 damage to a protected computer, as well as aiding and
6 abetting.

7 And you'll see that the charges deal with alleged
8 denial of service attack on computer servers of the county of
9 Santa Cruz.

10 If you're convicted of these offenses, as to each
11 count -- excuse me -- as to count one, you face a possible
12 period of imprisonment of five years and a fine of up to
13 \$250,000.

14 As to count two, the possible term of imprisonment
15 is 10 years and a fine of up to \$250,000.

16 There would also be how many years possible
17 supervised release, two, three?

18 **MR. PARRELLA:** At least three years.

19 **THE COURT:** Three years supervised release plus a
20 \$100 special assessment on each count.

21 Are you making a general appearance?

22 **MR. LEIDERMAN:** Yes, sir, I am.

23 **THE COURT:** Do you have a copy of the indictment?

24 **MR. LEIDERMAN:** Yes, sir, I do.

25 **THE COURT:** Do you waive further reading, as well as

1 advisement of your client's rights?

2 **MR. LEIDERMAN:** Yes, sir, I do.

3 **THE COURT:** Shall we enter not guilty pleas?

4 **MR. LEIDERMAN:** Yes, sir.

5 **THE COURT:** Is the Government seeking detention?

6 **MR. PARRELLA:** Your Honor, just at the outset, I
7 want to note that I'm moving to unseal the indictment. We --

8 **THE COURT:** I -- I already signed that.

9 **MR. PARRELLA:** Okay. We weren't aware of that.
10 So I've spoken to counsel and discussed this matter.
11 This individual has an active warrant of some sort, or perhaps
12 two, from Santa Cruz, and in the past has a criminal history
13 that involves warrants.

14 We're requesting a bail study be done on this
15 Defendant, so that we can determine what the proper
16 recommendation would be for his release.

17 Mr. Leiderman is based in Ventura, California, and
18 has asked that the matter be placed for next Thursday for the
19 actual detention hearing. I'm available that day. I'm
20 available on Wednesday before. I'm not sure what his
21 availability is on the Wednesday before. I'm just going by
22 the previous case in which he -- he placed something on that
23 calendar as well.

24 **THE COURT:** Well, Wednesday would be better, but I
25 guess we can squeeze it in on Thursday, if that's the day

1 that works better for you, Mr. Leiderman?

2 **MR. LEIDERMAN:** It is the date that works better for
3 me. I can -- if I have to, I can move things on Wednesday. I
4 would prefer Thursday.

5 **THE COURT:** That's okay. We'll do it Thursday.
6 That's September 29th at 1:30.

7 And you want a full bail study, I assume?

8 **MR. PARRELLA:** Yes, sir.

9 **MR. LEIDERMAN:** Yes.

10 **THE COURT:** Okay. Full bail study, please, Pretrial
11 Services. We'll set the matter for detention hearing
12 Thursday, September 29th at 1:30 in this court.

13 And in the meantime, the Defendant is remanded to
14 the custody of the United States Marshal.

15 **MR. PARRELLA:** Thank you, Your Honor.

16 **MR. LEIDERMAN:** Thank you, Your Honor.

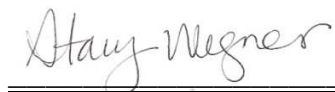
17 **THE COURT:** You're welcome.

18 (Proceedings adjourned at 2:03 p.m.)
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CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a true and correct transcript, to the best of my ability, of the above pages of the official electronic sound recording provided to me by the U. S. District Court, Northern District of California, of the proceedings taken on the date and time previously stated in the above matter.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken; and, further, that I am not financially nor otherwise interested in the outcome of the action.



3/28/2012

Signature of Transcriber

Date